

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**LILLIAN REEVES and
RICHARD POWELL,**

Plaintiffs,

VS.

Case No. 4:20-CV-001397-NCC

**SEEMA VERMA, Administrator
Center for Medicare &
Medicaid Services,**

Defendant.

ORDER

This matter is before the Court for the purpose of case management. Plaintiffs filed this Petition for Declaratory Judgment on December 8, 2018, against Defendant Seema Verma, Administrator for the Center for Medicare and Medicaid Services in the Circuit Court of the City of St. Louis, Missouri (Doc. 4). Plaintiffs seek a declaration that Defendant is not entitled to any of the proceeds from a wrongful death settlement (*Id.*). On September 29, 2020, Defendant removed the action to this Court and, on October 16, 2020, Defendant filed a Motion to Dismiss (Docs. 1, 8). In an order granting Defendant additional time to file the Motion, the Court noted that Plaintiffs' counsel has been suspended from the practice of law (Doc. 10). As of today's date, Plaintiffs have not responded to the Motion to Dismiss and the time to do so has elapsed. See E.D. Mo. L.R. 4.01. After directing former counsel to provide the Court with the information, the Court now has Plaintiffs' current mailing addresses. The Court is inclined to grant Plaintiffs additional time to respond to the Motion to Dismiss but, first, in the prior December 9, 2020 Show Cause Order, the Court gave Plaintiffs time to seek representation or inform the Court of their intent to proceed without representation as *pro se* litigants. New

counsel has not entered an appearance on their behalf nor have Plaintiffs otherwise responded to the Court's order. In light of the inherent complications caused by former counsel's suspension, the Court will afford Plaintiff a **second and final** opportunity to comply with this Court's order. Failure to comply with this order may result in the Court dismissing the case.

Accordingly,

IT IS HEREBY ORDERED that, if Plaintiffs retain alternate counsel, new counsel shall file an entry of appearance within twenty-one (21) days of the date of this Order. If Plaintiffs choose to proceed in this matter *pro se*, they must each file a status report to that effect within twenty-one (21) days of this Order. **Failure to comply with this order may result in the dismissal of this action.**

Dated this 5th day of January, 2021.

/s/ Noelle C. Collins
NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE